

AMENDED IN ASSEMBLY MAY 2, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1228

Introduced by Assembly Member Daucher
(Principal coauthor: Senator Ducheny)

February 22, 2005

~~An act to relating to schools.~~ *An act to add Chapter 19 (commencing with Section 11800) to Part 7 of the Education Code, relating to schools.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1228, as amended, Daucher. ~~K-12 High-Speed Network Program.~~ *Internet connectivity.*

~~Existing~~

(1) ~~Existing~~ law establishes the Digital High School Education Technology Grant Program of 1997, consisting of one-time installation grants and ongoing technology support and staff training grants, to provide all high school pupils with basic computer skills, to improve pupil achievement in all academic subjects, and to increase collaboration among high schools, private industry, postsecondary educational institutions, and community organizations. The existing Archie-Hudson and Cunneen School Technology Revenue Bond Act authorizes the California School Finance Authority to issue bonds to finance, among other things, the establishment of computer-based networks and telecommunications systems for instructional purposes by school districts.

This bill would establish a ~~K-12 High-Speed Network~~ *high-speed Internet connectivity* program, as specified, *for the purpose of providing high-speed, high-bandwidth Internet connectivity to the public schools.*

The bill would establish a board of directors for the governance of the program, and would require the membership of the board of directors to include county superintendents of schools of certain counties and school district superintendents, thereby imposing a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 19 (commencing with Section 11800) is
2 added to Part 7 of the Education Code, to read:

3
4 CHAPTER 19. K-12 HIGH SPEED INTERNET CONNECTIVITY FOR
5 THE PUBLIC SCHOOL SYSTEM
6

7 11800. (a) The K-12 High-Speed Network (K12 HSN) is
8 hereby established for the purpose of providing high-speed,
9 high-bandwidth Internet connectivity to the public school system,
10 as defined by Section 6 of Article IX of the California
11 Constitution.

12 (b) The program shall be governed by a board of directors
13 that shall be comprised of all of the following members:

14 (1) The county superintendents of schools of Butte County,
15 Imperial County, and Mendocino County. These members shall
16 serve as the lead county office of education consortium, charged
17 with administering the K-12 HSN.

18 (2) A county superintendent of schools of a county with an
19 average daily attendance of more than 60,000 pupils, appointed
20 by the Superintendent in consultation with the California County
21 Superintendents Educational Service Association. The member

1 *appointed pursuant to this paragraph shall serve a renewable*
2 *two-year term.*

3 *(3) Three school district superintendents, appointed by the*
4 *Superintendent in consultation with the Association of California*
5 *School Administrators. Members appointed pursuant to this*
6 *paragraph shall represent school districts that are diverse as to*
7 *geography, size, and type. Members appointed pursuant to this*
8 *paragraph shall serve renewable two-year terms.*

9 *(4) The Secretary for Education, or his or her designee.*

10 *(c) (1) The duties of the board of directors shall include all of*
11 *the following:*

12 *(A) Entering into a contract with the California Research and*
13 *Education Network for the provision of high-speed,*
14 *high-bandwidth Internet connectivity for the 2005-06 fiscal year.*
15 *Provision of services beyond the 2005-06 fiscal year shall be*
16 *determined through the annual Budget Act process.*

17 *(B) Development, implementation, and dissemination of*
18 *applications, to be used over the Internet, including distance*
19 *learning instructional programs, professional development*
20 *activities for teachers and other school personnel, and secure*
21 *data transmission.*

22 *(C) Development of an annual budget request for the K-12*
23 *HSN for submission to the Department of Finance and approval*
24 *by the Legislature and the Governor.*

25 *(D) Ongoing cost oversight of the program, including*
26 *mechanisms to control statewide costs and exposure. To*
27 *accomplish this objective, the board shall contract for an annual*
28 *independent audit of the program. The board shall report the*
29 *audit findings to the Governor, the Legislature, and the*
30 *Superintendent by December 15 of each year.*

31 *(E) Ongoing technical oversight of the program, including*
32 *external evaluation and independent validation and verification,*
33 *where appropriate. To accomplish this objective, the board shall*
34 *contract for an independent evaluation to be completed by March*
35 *1, 2007. The board shall report the results of the evaluation to*
36 *the Governor, the Legislature, and the Superintendent.*

37 *(2) The board may use funding in excess of the amount*
38 *necessary to fund the contract described by subparagraph (A) for*
39 *the administration of a grant program to ensure that all public*
40 *schools are connected to a high-speed, high-bandwidth network.*

(d) The board shall meet quarterly, at a time and place determined by the lead county office of education consortium.

11801. The California Research and Education Network is requested to include on its board of directors a minimum of three representatives of local educational agencies that use services provided by the K-12 HSN. The board of directors of the K-12 HSN shall appoint the representatives and shall include a county superintendent of schools described by paragraph (1) of subdivision (b) of Section 11800, and a county superintendent of schools and a school district superintendent from county offices of education that are not represented on the board of directors established pursuant to Section 11800.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

~~SECTION 1. The K-12 High Speed Network is hereby established. It is the intent of the Legislature that the program shall be overseen by a governance structure that accomplishes goals that include, but are not limited to, the following:~~

~~(a) Development of a long-term information technology, implementation, and business plan for the program, including an analysis of the benefits and risks of integrating other statewide programs with the K-12 High Speed Network.~~

~~(b) Ongoing cost oversight of the program, including mechanisms to control statewide costs and exposure.~~

~~(c) Ongoing technical oversight of the program, including external evaluation and independent validation and verification, where appropriate.~~